

## **AUTHORIZING LANGUAGE**

### **SEC. 5. NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATION PROGRAM.**

(a) **ESTABLISHMENT OF EROSION CONTROL PROGRAM.** – The Secretary shall establish and conduct a national shoreline erosion control development and demonstration program for a period of 6 years beginning on the date that funds are made available to carry out this section.

(b) **REQUIREMENTS.**

(1) **IN GENERAL.** – The erosion control program shall include provisions for

(A) projects consisting of planning, designing, and constructing prototype engineered and vegetative during the first 3 years of the erosion control program;

(B) adequate monitoring of the prototypes throughout the duration of the erosion control program;

(C) detailed engineering and environmental reports on the results of each demonstration project carried out under the erosion control program; and

(D) technology transfers to private property owners and State and local entities.

(2) **EMPHASIS.** - The projects carried out under the erosion control program shall emphasize, to the extent practicable -

(A) the development and demonstration of innovative technologies;

(B) efficient designs to prevent erosion at a shoreline site, taking into account the life-cycle cost of the design, including cleanup, maintenance, and amortization;

(C) natural designs, including the use of vegetation or temporary structures that minimize permanent structural alterations;

(D) the avoidance of negative impacts to adjacent shorefront communities;

(E) in areas with substantial residential or commercial interests adjacent to the shoreline, designs that do not impair the aesthetic appeal of the interests;

(F) the potential for long-term protection afforded by the technology; and

(G) recommendations developed from evaluations of the original 1974 program established under the Shoreline

(i) adequate consideration of the subgrade;

- (ii) proper filtration;
- (iii) durable components
- (iv) adequate connection between units; and
- (v) consideration of additional relevant information

(3) SITES. -

(A) IN GENERAL. - Each project under the erosion control program shall be carried out at a privately owned site with substantial public access, or a publicly owned site, on opencoast or on tidal waters.

(B) SELECTION. - The Secretary shall develop criteria for theselection of sites for the projects, including -

- (i) a variety of geographical and climatic conditions;
- (ii) the size of the population that is dependent on the beach
- (iii) the rate of erosion;
- (iv) significant natural resources or habitats and environmentally sensitive areas; and
- (v) significant threatened historic structures or landmarks.

(C) AREAS. - Projects under the erosion control program shall be carried out at not fewer than-

- (i) 2 sites on each of the shorelines of the Atlantic and Pacific coasts;
- (ii) 2 sites on the shoreline of the Great Lakes; and
- (iii) 1 site on the shoreline of the Gulf of Mexico.

(4) DETERMINATION OF FEASIBILITY. - Implementation of a project under this section is contingent upon a determination by the Secretary that such project is feasible.

(c) CONSULTATION. -

(1) PARTIES. - The Secretary shall carry out the erosion control program in consultation with -

(A) the Secretary of Agriculture, particularly with respect to vegetative means of preventing and controlling shoreline erosion;

(B) Federal, State, and local agencies;

(C) Private organization

(D) the Coastal Engineering Research Center established under the 1st section of the Act entitled "An Act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes", approved November 7, 1963 (33 U.S.C. 426-1); and

(E) university research facilities

(d) REPORT. - Not later than 60 days after the conclusion of the erosion control program, the Secretary shall prepare and submit an erosion control program final report to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives. The report shall include a comprehensive evaluation of the erosion control program and recommendations regarding the continuation of the erosion control program

(e) FUNDING. -

(1) RESPONSIBILITY. - The cost of and responsibility for operation and maintenance (excluding monitoring) of a demonstration project under the erosion control program shall be borne by non-Federal interests on completion of construction of the demonstration project.

(2) AUTHORIZATION OF APPROPRIATIONS. - There is authorized to be appropriated \$21,000,000 to carry out this section

## **SEC. 6. DEFINITIONS.**

In this Act, the following definitions apply:

(1) EROSION CONTROL PROGRAM. - The term "erosion control program" means the national shoreline erosion control development and demonstration program established under this section.

(2) SECRETARY. - The term "Secretary" means the Secretary of the Army.

(3) SEPARABLE ELEMENT. - The term "separable element" has the meaning provided by section 103 (f) of the Water Resources Development Act of 1986 (33 U.S.C. 2213 (f)).

(4) SHORE. - The term "shore" includes each shoreline of the Atlantic and Pacific Oceans, the Gulf of Mexico, the Great Lakes, and lakes, estuaries, and bays directly connected there-with.

(5) SHORE PROTECTION PROJECT.- The term "shore protection project" includes a project for beach nourishment, including the replacement of sand."

(6) CONFORMING AMENDMENTS. - The Act entitled "An Act authorizing Federal participation in the cost of protecting the shores of publicly owned property", approved August 13, 1946, is amended -

(A) in subsection (b)(3) of the 1st section (33 U.S.C.426e(b)(3))-  
(i) by striking "of the Army, acting through the Chief of Engineers,"; and  
(ii) by striking the final period;

(B) in subsection (e) of the 1st section by striking "section 3" and inserting "section 3 or 5"; and

(C) in section 3 (33 U.S.C. 426g) by striking "Secretary of the Army" and inserting "Secretary".

(f) OBJECTIVES OF PROJECTS. - Section 209 of the Flood Control Act of 1970 (42 U.S.C. 1962-2; 84 Stat. 1829) is amended by inserting "(including shore protection projects such as projects for beach nourishment, including the replacement of sand)" after water resource projects".